

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

-.-

Crl. Misc. M 3441 of 2017
Date of decision: 27.04.2017

Pritam Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

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Present: Mr. Preetwinder Singh Dhaliwal, Advocate
for the petitioners

Mr. Mikhail Kad, AAG, Punjab

Mr. Devender Dhillon, Advocate
for respondents No. 2 and 3

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Rekha Mittal, J.

Through the present petition filed under Section 482 of the Code of Criminal Procedure (in short, 'Cr.P.C.'), the petitioners have prayed for quashing of FIR No. 08 dated 06.02.2014 for offence punishable under Sections 406 and 498-A of the Indian Penal Code (in short, 'IPC') registered with Police Station Dhanaula, District Barnala and proceedings emanating therefrom on the basis of compromise dated 20.01.2017 (Annexure P-2) arrived at between the parties.

Counsel for the petitioners states that petitioner No. 3 - husband and respondent No. 2 - wife have mutually decided to resolve their personal differences and also decided to part ways vide compromise deed dated 20.01.2017.

Counsel for the petitioners has submitted that as respondent No. 3 is neither the complainant nor he is the victim, he may be deleted from array of memo of parties.

Ordered accordingly.

Vide order dated 03.02.2017, the parties were directed to appear before the Illaqa Magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Additional Chief Judicial Magistrate, Barnala wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter.

Counsel for the State does not dispute genuineness of the compromise in view of report of the Illaqa Magistrate.

Counsel for respondent No. 2/complainant has conceded to the position.

A perusal of allegations in the FIR reveals that the present case squarely falls in that category of cases which can be quashed by the High Court, in exercise of its inherent power under Section 482 Cr.P.C. Keeping in view the authoritative enunciation of law laid down by Hon'ble the Supreme Court in '***Gian Singh v. State of Punjab and another***', 2012(4) ***R.C.R. (Criminal)*** 543 and in the light of facts and circumstances of the present case, this Court is of the considered opinion that continuation of criminal proceedings would amount to abuse of process of law and it is expedient in the interest of justice that criminal proceedings are put to an end.

In this view of the matter, the petition is allowed and FIR No. 08 dated 06.02.2014 for offence punishable under Sections 406 and 498-A IPC registered with Police Station Dhanaula, District Barnala and proceedings emanating therefrom on the basis of compromise dated 20.01.2017, stand quashed qua the petitioners. The parties shall remain bound by the terms and conditions of compromise.

(Rekha Mittal)
Judge

27.04.2017
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Whether speaking/reasoned	:	Yes/No
whether reportable	:	Yes/No